



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/667,954 Confirmation No.: 2277
Applicant : David Russell Miller
Filed : September 22, 2000
TC/A.U. : 3714
Examiner : John Sotomayor

Docket No. : 32973
Customer No. : 000116

APPLICANT'S ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS
and REQUEST FOR EXTENSION OF TIME

RECEIVED

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOV 09 2004

TECHNOLOGY CENTER R3700

Sir:

Applicant asserts entitlement to small entity status for the above-referenced patent

application. Please update your records for this application to indicate that the applicant is entitled to small entity status.

The three month period for response to the final Office action of May 3, 2004 in the above-identified application expired on August 3 2004. Accordingly, applicant respectfully requests and petitions that the response date be extended for three months, up to and including November 3, 2004. The \$490.00 extension of time fee is enclosed.

11/05/2004 HALI11 00000004 09667954

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490.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

John P. Murgaugh
Name of Attorney for Applicant(s)
November 1, 2004 John P. Murgaugh
Date Signature of Attorney

If there are any further fees required by this communication which are not covered by an enclosed check, please charge such fees to our Deposit Account No. 16-0820, Order No. 32973.

Respectfully submitted,

PEARNE & GORDON LLP

By John P. Murtaugh
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Date: Nov. 1, 2004